

FORM PTO-1390  
(REV 12-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

UNMC 63124

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/647911**

INTERNATIONAL APPLICATION NO.

PCT/US99/07854

INTERNATIONAL FILING DATE

09 April 1999 (9.04.99)

PRIORITY DATE CLAIMED

09 April 1998 (9.04.98)

TITLE OF INVENTION Improved Live Attenuated Viruses for Use as Vectors or Vaccines

APPLICANT(S) FOR DO/EO/US TRACY, Steven M. and CHAPMAN, Nora M.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☒ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

Copy of Form PCT/IB/308 (July 1996)

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UNMC 63124

CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 96.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	30 - 20 =	10	X \$18.00
Independent claims	2 - 3 =	0	X \$78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00

\$ 180.00

\$ 0.00

\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

\$ 406.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$ 203.00

SUBTOTAL =

\$ 203.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 0.00

TOTAL NATIONAL FEE =

\$ 203.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$ 0.00

TOTAL FEES ENCLOSED =

\$ 203.00

Amount to be  
refunded: \$  
charged: \$

a. ☒ A check in the amount of \$ 203.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-1089. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Janet E. Reed  
Saul Ewing LLP  
Centre Square West  
1500 Market Street, 38th Floor  
Philadelphia, PA 19102-2186  
US

SIGNATURE:

Janet E. Reed

NAME

36,252

REGISTRATION NUMBER

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COMMISSIONER OF PATENTS  
AND TRADEMARKS  
Washington DC 20231

BOX PCT

Date of Mailing  
October 6, 2000

Applicant's or Agent's Reference  
UNMC 63124/13292-00027

**IDENTIFICATION OF THE INTERNATIONAL APPLICATION**

Int'l Appln. No.  
PCT/US99/07854

Int'l Filing Date  
09 April 1999

Applicant (name)  
Steven M. Tracy, et al.

**TRANSMITTAL OF LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US)**

CERTIFICATE OF MAILING  
BY EXPRESS MAIL UNDER 37 CFR §1.10

NUMBER OF EXPRESS MAIL MAILING LABEL

EL582440265US

DATE OF DEPOSIT WITH POSTAL SERVICE October 6, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. §1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231

Felecia J. Williams

Typed or Printed Name of Person  
Mailing Paper or Fee

  
Signature of Person Mailing Paper or Fee